

Remarks/Arguments:

Claims 1-27 are presently pending, with all pending claims rejected. Applicants herein amend claims 1, 7, 10, 15, 18, 20, 23, and 25 and cancels claims 4, 5, and 13. Support for the claim amendments can be found throughout the application as original filed. For example, see paragraphs 0031, 0034, and 0035. No new matter is added. Applicants respectfully request reconsideration in view of the above amendments and the following remarks.

Claim Rejections Under 35 U.S.C. § 102

The Office Action recites that "Claims 1-3, 6-7, 9-12, 14-15, 18-20, and 23-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Walker et al. (US 7,236,464)."
Applicants contend that the claims as amended are allowable over Walker.

Claim 1, as amended, includes at least one feature that is not disclosed, taught, or suggested by Walker. Claim 1 is directed to a method for use in a communication system utilizing multiple bands to improve error rates in a transmission of a data stream to a receiver. The method includes the following features:

mapping a bit stream within the data stream to the multiple bands in a first band order;

mapping the bit stream to the multiple bands in a second band order that is different than the first band order; and

transmitting the bit stream in the first band order and the bit stream in the second band order for receipt by the receiver.

This means that a bit stream within the data stream is mapped to multiple bands in a first band order for the multiple bands and that same bit stream is also mapped to the multiple bands in a second band order that is different than the first band order. The bit stream is then transmitted in both in the first band order and in the second band order. Thus, the bit stream is mapped to the bands of a multi-band communication system such that each symbol is mapped to two distinct bands. See paragraphs 0031, 0034 and 0035.

The Office Action relies on the Walker reference to teach these features. In particular, the Office Action directs the applicants to column 2, lines 42-67, column 11, lines 29-32, and column 13, lines 12-49. Column 2, lines 42-67 describes receiving bursts of

data where each burst occupies at least one of a plurality of frequency bands. This section, however, is devoid of mapping a bit stream to a plurality of bands in the first band order and then mapping that same bit stream to the plurality of bands in the second band order that is different from the first band order. Column 11, lines 29-32 discuss a transmitter and receiver subsystem that adapts to interference by changing their data encoding to avoid bands that contain interfering signals. This is the type of system that is described in the background of the application as originally filed at paragraphs 0005 and 0006. The invention as set forth in claim 1, however, utilizes different band mapping orders for a bit stream rather than avoiding bands. Column 13, lines 12-49 are directed to a receiver that includes three separate burst detectors. This section, however, is entirely devoid of mapping a bit stream to multiple bands in first and second band mapping orders as set forth in claim 1.

Further, Walker is directed to mapping a symbol, e.g., "5", in bursts across multiple time slots and frequency bands. See column 6, lines 8-24 of Walker. For example, the symbol "5" may be mapped across three frequency bands in three time slots (e.g., being represented by a burst in the third frequency in a first time slot, a burst in the second frequency in a second time slot, and a burst in the first frequency in a third time slot). See column 9, lines 7-42 of Walker. Thus, the same symbol is mapped across multiple bands multiple times as part of a single transmission of the symbol. This is unlike the claimed invention as set forth in claim 1 in which a bit stream is mapped to multiple bands in a first band order for one transmission of the bit stream and that bit stream is also mapped to those multiple bands in a second (different) band order for another transmission of the bit stream.

Accordingly, for the reasons discussed above applicants respectfully submit that Walker fails to disclose, teach, or suggest each and every limitation of claim 1 and, thus, respectfully request that the rejection of claim 1 be withdrawn.

Claims 7, 10, 15, 18, 20, 23, and 25, while not identical to claim 1, include features similar to those found in claim 1. Accordingly, applicants respectfully submit that claims 7, 10, 15, 18, 20, 23, and 25 are allowable for at least the reasons that claim 1 is allowable.

Claims 2, 3, 6, 9, 12, 14, 19, and 24 each depend from one of claims 1, 7, 10, 12, 18, 20, 23, and 25 and, thus, include all the limitations of the respective claim from which it

depends. Accordingly, applicants contend that claims 2, 3, 6, 9, 12, 14, 19, and 24 are allowable for at least the reasons set forth above that claims 1, 7, 10, 12, 18, 20, 23, and 25 are allowable. Thus, applicants respectfully request that the rejection of claims 2, 3, 6, 9, 12, 14, 19, and 24 be withdrawn.

Claim Rejection Under 35 U.S.C. § 103

The Office Action recites that "Claims 8, 16-17, 21-22, and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al., and further in view of Son et al. (US 2003/0189892) and that claims 1, 4-5, 10, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al." Applicants herein deletes claims 4-5 and 13, thereby rendering the rejection of these claims moot. Additionally, as set forth above, Walker fails to disclose, teach, or suggest each and every limitation of claims 1 and 10 and, thus, applicants contend that claims 1 and 10 are allowable over Walker.

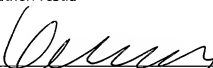
Claims 8, 16-17, 21-22, and 26-27 each depend from one of claims 7, 15, 20, and 25 and, therefore, include all of the features and limitations of the independent claim from which they depend. The feature that was found to be lacking in Walker with reference to these independent claims is not found in Son, namely, mapping a bit stream to multiple bands in a first band order and mapping that same bit stream to the multiple bands in a second band order. Thus, Son fails to make up for the deficiencies of Walker. Accordingly, applicants contend that claims 8, 16-17, 21-22, and 26-27 are allowable and, therefore, respectfully request withdrawal of the rejection of these claims.

Conclusion

In view of the amendments and remarks set forth above, applicants respectfully submit that claims 1-3, 6-12, and 14-27 are in condition for allowance. Notification to that effect is earnestly solicited.

Respectfully submitted,

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